

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
BRENDAN A. HURSON
UNITED STATES MAGISTRATE JUDGE

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November 3, 2022

LETTER TO ALL COUNSEL OF RECORD

Re: *Yonas A. v. Kilolo Kijakazi, Acting Commissioner, Social Security Administration*
Civil No. 22-0775-BAH

Dear Counsel:

In this Social Security disability appeal, the Commissioner of the Social Security Administration (“Defendant”) has filed a Motion to Remand the case for further consideration. ECF 12 (the “Motion”). Defense counsel represents that Plaintiff “does not consent to the remand due to lack of further instructions in the Remand Order.” *Id.* Since no prior Remand Order has been issued by this Court, it is assumed that Plaintiff challenged the “Proposed Order” attached to Defendant’s Motion. Plaintiff did not, however, file any response to Defendant’s Motion and has thus far failed to provide any detail as to what instructions, if any, should be added to the Proposed Order. Since over a month has passed since the filing of the Motion, the time to offer additional information has passed. I have reviewed all the relevant filings and no hearing is necessary. *See* Loc. R. 105.6 (D. Md. 2021). For the reasons stated herein, Defendant’s Motion for Remand (ECF 12) is **GRANTED**. Plaintiff’s Motion for Summary Judgment (ECF 10) is **DENIED AS MOOT**.

Sentence four of 42 U.S.C. § 405(g) states that “[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g). Defendant represents that it “believes that a remand is warranted for further administrative proceedings and development.” ECF 12, at 1. Though Plaintiff did not respond to the Motion with any meaningful detail, Plaintiff’s Motion for Summary Judgment asks the Court for similar relief. *See* Plaintiff’s Motion for Summary Judgment, ECF 10-1, at 13 (noting that Plaintiff “[r]espectfully request[s] that the ALJ’s decision be vacated, and the matter remanded for further administrative proceedings, including a *de novo* hearing and new decision.”). The Court thus grants Defendant’s Motion (ECF 12), denies Plaintiff’s Motion for Summary Judgment (ECF 10) as moot, and **ORDERS** that the case be remanded to the Commissioner of the Social Security Administration for further consideration. Then the case can be closed.

Despite the informal nature of this letter, it should be flagged as an ORDER of the Court.

Sincerely,

/s/

Brendan A. Hurson
United States Magistrate Judge